

PATENT Docket GE134254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

D.T. Zatorski et al

Application No.: 10/690,915

Confirmation No: 6870

Filed: 10/22/2003

Art Unit: 3745

Examiner: Kershteyn, I.

Title: Split Flow Turbine Nozzle

DECLARATION TRANSMITTAL

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On April 21st, this attorney conducted a phone interview with the examiner regarding the SIDS filed on 01/26/05. The examiner uncovered U.S. Pub. 2004/0258516 as the counterpart to the cited EP reference 1489265.

The examiner indicated that this U.S. Pub. '516 would be entered of record.

Accordingly, the attached Declaration under Rule 132 is being filed herewith to address the relevant part of that U.S. Pub. '516 as being attributed to the present applicants.

Respectfully submitted,



Francis L. Conte

Registration No. 29,630

Attorney for Applicant

Date: 27 April 2005

6 Puritan Avenue
Swampscott, MA 01907
Tel: 781-592-9077

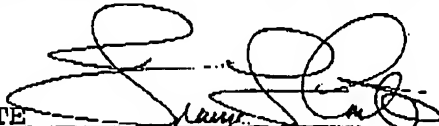
Attachment: 4-page Declaration under 37 CFR 1.132

CERTIFICATE OF TRANSMISSION (37 CFR 1.8a and MPEP 512)

I hereby certify that this **5-PAGE** correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at Fax No. 703-872-9306 on the transmission date indicated below.

FRANCIS L. CONTE

(Name of person transmitting paper)



(Signature of person transmitting paper)

27 April 2005

(Date)

PATENT
Docket GE134254

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Applicant:</i>)	
D.T. Zatorski et al)	
)	<i>Art Unit:</i> 3745
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<i>Application No.:</i> 10/690,915)	
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)	
<i>Filed:</i> 10/22/2003)	
 <i>Title:</i> Split Flow Turbine Nozzle		

DECLARATION UNDER 37 CFR 1.132

1. MPEP 715.01(a) states that:

When subject matter, disclosed but not claimed in a patent or application publication filed jointly by S and another, is claimed in a later application filed by S, the joint patent or application publication is a valid reference unless overcome by ... an unequivocal declaration under 37 C.F.R. 1.132 by S that he/she conceived or invented the subject matter disclosed in the patent or application publication

2. MPEP 716.10 states that:

Under certain circumstances an affidavit or declaration may be submitted which attempts to attribute an activity, a reference or part of a reference to the applicant. If successful, the activity or the reference is no longer applicable.

3. This Declaration under Rule 132 is being prepared in accordance with MPEP 715.01(a) and 716.10 to overcome U.S. Publication No. US2004/0258516A1.

4. I, Darek T. Zatorski, am a co-inventor of the subject matter described and claimed in the above-identified subject patent application, i.e. the Second application, with my sole co-inventor being Martin Wills.

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5. I am also a co-inventor, along with Michael Beverley and Ching-Pang Lee, of the subject matter described and claimed in U.S. patent application No. 10/465,328 filed 19 June 2003, and entitled "Methods and Apparatus for Supplying Cooling Fluid to Turbine Nozzles," i.e. the First application, which was published on 23 December 2004 by the US Patent Office as Pub. No. US2004/0258516A1, with a copy of the cover sheet thereof being attached hereto.
6. The subject matters of the First and Second applications identified above were conceived and invented under a common gas turbine engine development program for the assignee General Electric Company.
7. I, along with co-inventors Beverley and Lee, first conceived and invented the combination of features disclosed in the First application and shown radially outwardly of the vanes 52 and including the specific forms of the outer spoolie 132, with our original invention disclosure lacking any figures or description of the features therebelow including the vanes below the outermost portion thereof and the inner band assembly.
8. I, along with co-inventor Wills, following conception of the First application, then conceived and invented the combination of features disclosed and claimed in the Second application which include the combination of flow channels extending through the outer band, vanes, and inner band.
9. During preparation of the patent application for the First application, I provided to the patent attorney for that First application additional figures for the vanes

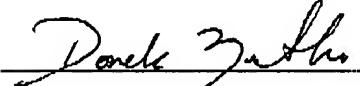
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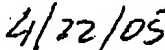
Docket GE134254

and inner bands derived from the subject matter of the invention disclosure for my Second application.

10. Accordingly, the features and subject matter of the First application, and the part of the U.S. Publication US2004/0258516A1, radially inwardly of the outer band 54 including the vanes 52, flow channels therein, and inner band assembly 56 were conceived and invented solely by me and co-inventor Wills as the applicants of the subject application; and were not conceived or invented by Michael Beverley and/or Ching Pang Lee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Darek T. Zatorski


4/22/05

Date

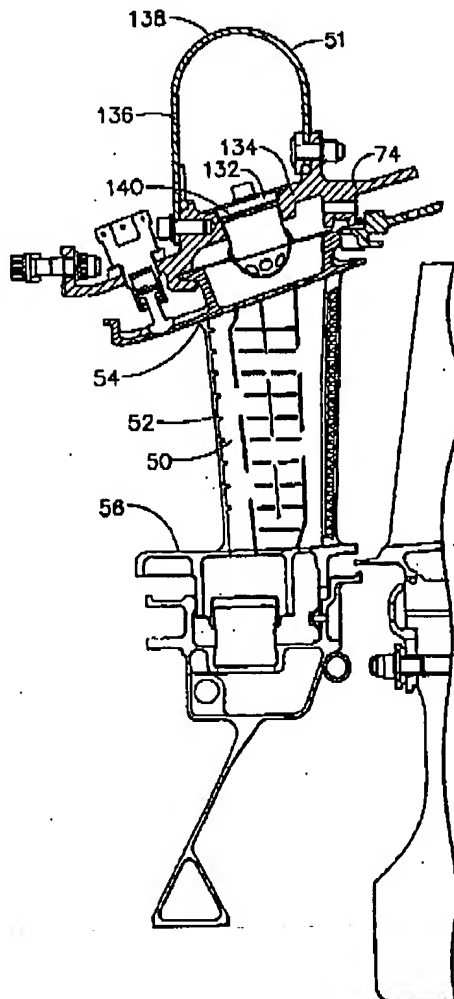
Attachment: US Publication US2004/0258516A1, cover page



US 20040258516A1

(19) **United States**(12) **Patent Application Publication**
Beverley et al.(10) **Pub. No.: US 2004/0258516 A1**(43) **Pub. Date: Dec. 23, 2004**(54) **METHODS AND APPARATUS FOR
SUPPLYING COOLING FLUID TO TURBINE
NOZZLES****Publication Classification**(51) **Int. Cl.⁷** F01D 5/14(52) **U.S. Cl.** 415/115(76) **Inventors:** Michael Beverley, West Chester, OH
(US); Darek Zatorski, Florence, KY
(US); Ching-Pang Lee, Cincinnati, OH
(US)(57) **ABSTRACT****Correspondence Address:**John S. Benlick
Armstrong Teasdale LLP
Suite 2600
One Metropolitan Sq.
St. Louis, MO 63102 (US)

A method enables a gas turbine engine to be operated. The method comprises supplying cooling fluid into a manifold ring that includes a plurality of distribution ports defined by a sidewall connected by a radially inner wall, chamfering the cooling fluid circumferentially through the manifold ring and through at least one distribution port that is defined by a wall that extends arcuately across at least one turbine nozzle, and discharging cooling fluid from the distribution ports radially inwardly towards the at least one turbine nozzle positioned radially inward from the manifold ring.

(21) **Appl. No.: 10/465,328**(22) **Filed: Jun. 19, 2003**

USPTO 4/27/2005 8:58 AM PAGE 1/001 Fax Server
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Wednesday, April 27, 2005 8:58 AM	To: kershteyn@USPTO	From: Francis L. Conte, Esq., 781-592-4618	Page: 1 of 5
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PATENT DOCKET 65134254
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D.T. Satoraki et al
Application No.: 10/690,975
Confirmation No.: 6870
Filed: 10/22/2003
Title: Split Flow Turbine Nozzle

EXAMINATION TRANSMISSION

Will Stop Vacua Fee
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re:
 On April 21st, this attorney conducted a phone interview with the examiner regarding the S105 filed on 01/26/05. The examiner uncovered U.S. Pub. 2004/0180116 as the counterpart to the cited EP reference 1409265.
 The examiner indicated that this U.S. Pub. '516 would be treated as prior art.
 Accordingly, the attached Declaration under Rule 132 is being filed herewith to address the relevant part of that U.S. Pub. '516 as being attributed to the present applicants.

Respectfully submitted,

 Francis L. Conte
 Registration No. 29,630
 Attorney for Applicant

Date: 27 April 2005

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FRANCIS L. CONTE
 Attorney for Applicant
 27 April 2005

PAGE 15 * RCVD AT 4/27/2005 9:06:54 AM [Eastern Daylight Time] * SVR:USPTO-EFAX-1/24 * DNIS:2734817 * CSID:7815924618 * DURATION (mm:ss):02:22

Fax

Name: Francis L. Conte, Esq.
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Date: Wednesday, April 27, 2005

Total Pages: 7

Subject: GE134254 sn10/690915 Rule 132 Decl.

Name: Examiner Kershteyn

Company:

Voice Number:

Fax Number: 15712734817

Note: Examiner Kershteyn:
Here is copy of the Rule 132 Declaration just filed by
RightFax as we discussed.
Thanks
Frank Conte